99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-799

MODIFYING THE BOUNDARY OF THE UINTA NATIONAL FOREST, UTAH, AND FOR OTHER PURPOSES

AUGUST 15, 1986.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[illegible] PUBLIC LIBRARY

SEP 17 1986

U. S. GOVT. PUBS.
DEPOSITORY 378

Mr. UDALL, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 2499]

[Including cost estimate of the Congressional Budget Office]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 2499) to modify the boundary of the Uinta National Forest, Utah, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, line 3, strike all after the enacting clause and insert the following:

SECTION 1. BOUNDARY MODIFICATION OF UINTA NATIONAL FOREST.

(a) MODIFICATION.—The exterior boundary of the Uinta National Forest is hereby modified as generally depicted on a map entitled "Boundary Modification, Uinta National Forest", dated July 1986.

(b) MAP AND LEGAL DESCRIPTION.—Such map and the legal description of the boundary modification of the National Forest shall be on file and available for public inspection in the offices of the Chief of the Forest Service, Department of Agriculture, the Director of the Bureau of Reclamation, Department of the Interior, and appropriate field offices of each such Department.

SEC. 2. OPERATION OF LANDS WITHIN EXTENDED BOUNDARY.

Nothing in this Act shall be construed to interfere with the authority, or valid existing rights and privileges of any Federal, State, or private interests, including (but not limited to) those of the Strawberry Water Users Association.

SEC. 3. TRANSFER OF FUNDS.

Nothing in this Act shall be construed to interfere with the Memorandum of Understanding (contract No. 2097-40-1-3016) between the Bureau of Reclamation and the Forest Service, dated February 2, 1982. Funds may continue to be appropriated or otherwise made available to the Bureau of Reclamation for recreational purposes in accordance with plans dated August 1, 1978. With respect to the lands subject to

Y1.1/8:

that memorandum, the Bureau of Reclamation may spend appropriated funds in accordance with that memorandum.

SEC. 4. LAND EXCHANGE.

(a) AUTHORIZATION.—(1) The Secretary of Agriculture may exchange the National Forest System lands described in paragraph (2) (including any improvements thereon) located in or near Heber City, Wasatch County, Utah, for a building to be constructed on Federal lands at a location in Wasatch County, Utah, to be specified by the Secretary.

(2) The lands referred to in paragraph (1) are those lands which are depicted on a plat entitled "Heber City Administrative Site", dated July 1986. The plat shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture, and appropriate field offices.

(b) REQUIREMENT OF EQUAL VALUE.—The values, as determined by the Secretary, of the lands and building to be exchanged under this section shall be equal, or if not equal, shall be equalized by the payment of money to the grantor or the Secretary as the circumstances require so long as the payment does not exceed 25 percent of the total value of the land (including any improvements thereon) transferred out of Federal ownership. The Secretary shall try to reduce the amount of payment to as small an amount as possible.

PURPOSE

As reported, H.R. 2499 would modify the boundary of the Unita National Forest, in Utah, and would authorize the exchange of National Forest lands and a building thereon in Heber City, Utah for a building to be constructed on federal lands outside that city.

BACKGROUND AND NEED

The proposed modification of the boundary of the Unita National Forest would bring within that boundary certain lands, now under the jurisdiction of the Bureau of Reclamation as part of the Central Utah Water Reclamation Project, around the Strawberry Reservoir and below the reservoir on the Strawberry River and Solider Creek. It would also encompass other lands.

Under a 1982 Memorandum between the Forest Service (in the Department of Agriculture) and the Bureau of Reclamation (in the Department of the Interior), the Forest Service presently manages the federal land and recreational facilities around the reservoir. Modification of the boundary of the Forest would increase the administrative flexibility of the Forest Service in this area, particularly as regards possible land exchanges between the Forest Service and other parties.

The Forest Service is also interested in obtaining an office building outside of Heber City, Utah, and would like to be able to arrange for exchanging properties within Herber City which the Forest Service now has for construction of such a new building. However, under existing authorities, this cannot be arranged without enactment of enabling legislation such as this bill.

COMMITTEE AMENDMENT

The Committee adopted an amendment in the nature of a substitute. Its provisions are discussed in the Section-By-Section Analysis portion of this Report.

SECTION-BY-SECTION ANALYSIS

As reported, the bill is in four sections.

Section 1 provides that the exterior boundary of the Uinta National Forest will be modified in accordance with an appropriately-referenced map, and provides that the map shall be on file in appropriate locations.

The new boundary would encompass 68,810 acres of Bureau of Reclamation land, 23,938 acres of state land and 21,752 acres of private land, as compared with approximately 75,000 acres of private land which would have been brought within the boundary by the bill as introduced.

The Committee is aware that included with the Bureau of Reclamation lands that will be brought inside the National Forest boundary by this bill are two tracts totalling approximately 10,000 acres which were acquired by the Bureau for fish and wildlife mitigation purposes. Nothing in H.R. 2499 is intended to affect any plan or agreement under which the Bureau of Reclamation may propose to convey any such properties to the Utah Division of Wildlife Resources. The Committee has been informed that these two properties, known as the Remaining Emory Smith Property (9,461 acres) and the Moon Property (945 acres), are components of a wildlife mitigation plan (The Wildlife Mitigation Plan for Strawberry Collection System, Municipal and Industrial System, and Diamond Fork Power System, Bonneville Unit, Central Utah Project) and that it has been proposed that they be conveyed to the Utah Division of Wildlife Resources. Enactment of this bill neither requires nor prohibits such conveyance to the State. However, the Committee recognizes the high value these and any other similar "mitigation" lands have for such purposes and it is the Committee's intent that should the Bureau instead transfer these lands to the Forest Service, management to further fish and wildlife values should continue to be emphasized on these lands.

Section 2 provides that nothing in the bill is to be construed to interfere with the authority or valid existing rights or privileges of any federal, State, or private interests, including those of the Strawberry Water Users Association.

Section 3 provides that nothing in the bill is to be construed as interfering with the existing Memorandum of Understanding between the Bureau of Reclamation and the Forest Service, and provides that funds may continue to be appropriated or otherwise made available to the Bureau of Reclamation for recreational purposes in accordance with relevant plans.

Section 4 authorizes the Secretary of Agriculture to exchange certain described National Forest System lands and improvements thereon in or near Heber City, Utah for a building to be constructed on federal lands in Watsatch County, Utah, to be selected by the Secretary. The section also provides that the values of the lands and improvements transferred out of federal ownership pursuant to such an exchange must either be equal to the values received, or equalized by a cash payment of not to exceed 25 percent of the total value of the land (exclusive of improvements) transferred out of federal ownership. The section directs the Secretary to minimize any such cash payment.

READEX best copy available

OVERSIGHT STATEMENT

The Committee on Interior and Insular Affairs will have continuing responsibility for oversight of the implementation of H.R. 2499 after its enactment. No reports or recommendations were received by the Committee pursuant to Rule X, clause 2(b)(2) of the Rules of the House of Representatives.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(2) of Rule XI of the Rules of the House of Representatives, the Committee finds that enactment of H.R. 2499 will have no inflationary impact on the national economy.

COST AND BUDGET ACT COMPLIANCE

In the opinion of the Committee, enactment of H.R. 2499 will not result in significant costs. The estimate of the Congressional Budget Office follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 7, 1986.

Hon. MORRIS K. UDALL,
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2499, a bill to modify the boundary of the Uinta National Forest, Utah, and for other purposes, as ordered reported by the House Committee on Interior and Insular Affairs on August 6, 1986. CBO estimates that no significant cost to the federal government, and no costs to state or local governments would result from the enactment of this bill.

H.R. 2499 would modify the boundary of the Uinta National Forest and authorize the exchange of National Forest lands and a building located in Heber City, Utah for a building to be constructed on federal land outside the city. The bill requires the values of the lands and buildings exchanged under this authority to be equal, or if not equal, to be equalized by a money payment.

Based on information obtained from the Forest Service, CBO expects that the costs to the federal government of the boundary change would be insignificant. The land exchange authority would be exercised only if an outside party agrees to terms of the exchange. To date, no such exchange has been proposed. Assuming that such a party would agree to the proposed land exchange and build the new structure according to an existing proposed design, no substantial equalizing payment is anticipated.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,
Sincerely,

RUDOLPH G. PENNER, *Director.*

LEGISLATIVE HISTORY AND COMMITTEE RECOMMENDATION

H.R. 2499 was introduced by Representative Nielson of Utah on May 14, 1985. On July 15, 1986, the Subcommittee on Public Lands held a hearing on the bill, and on August 5, 1986 adopted an amendment in the nature of a substitute and favorably referred the bill as so amended to the full Committee. On August 6, 1986, the Committee on Interior and Insular Affairs adopted an amendment in the nature of a substitute and ordered the bill as so amended favorably reported to the House by a voice vote.

○